

SEP 22 2005

  
CLERK

## UNITED STATES DISTRICT COURT

## DISTRICT OF SOUTH DAKOTA

## WESTERN DIVISION

UNITED STATES OF AMERICA, ) CR. 05-50046-RHB  
)  
Plaintiff, )  
)  
vs. ) ORDER GRANTING  
) CONTINUANCE  
WALTER DIGMAN, )  
)  
Defendant. )

Defendant has filed a motion for continuance. The Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the defendant in a speedy trial insofar as defense counsel has made known to the court that extensive investigation and interviewing of witnesses remains to be done. Based on the foregoing, it is therefore

ORDERED that defendant's motion is granted. The following deadlines shall apply:

Applications for Writ of Habeas Corpus Ad Testificandum	November 8, 2005
Other motions	November 15, 2005
Responses to motions due	Within five days after motion is filed
Subpoenas for trial	November 15, 2005
Plea agreement or petition to plead and statement of factual basis	November 15, 2005
Notify court of status of case	November 15, 2005
Motions in limine	November 22, 2005
Proposed jury instructions due	November 22, 2005
Jury trial	Tuesday, November 29, 2005, at 9 a.m.

The period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense must commence. 18 U.S.C. § 3161(h)(8)(A).

All other provisions of the Court's standing order remain in effect unless specifically changed herein.

Dated September 21, 2005.

BY THE COURT:



A handwritten signature in black ink, appearing to read "Richard H. Battey". The signature is fluid and cursive, with a horizontal line drawn underneath it.

RICHARD H. BATTEY  
UNITED STATES DISTRICT JUDGE